

REPORT

OF

ACTING PRESIDENT MAHONEY

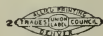
TO THE

Fifteenth Annual Convention
Western Federation
of Miners

JUNE, 1907

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THE MERCHANTS PUB. CO., DENVER



Report of Acting President Mahoney to the Fifteenth
Annual Convention Western Federation of
Miners, June, 1907.

Denver, Colo., June 10, 1907.

To the Officers and Delegates of the Fifteenth Annual Convention,
W. F. M.

Gentlemen: Another year has passed and gone, and you have been selected by your respective Locals to represent them in the Fifteenth Annual Convention of the Western Federation of Miners, and to review the conduct of those selected by the Fourteenth Annual Convention to fill the different offices and conduct the affairs of your organization, and to inquire into the present status of the Western Federation of Miners, and submit such amendments to the Constitution and By-laws of your organization to your constituency, for their consideration, as you believe to be to the best interest of your organization, and to outline its policy for the ensuing year.

Your Constitution provides that the President submit a full report of his work during the year, and it is with profound regret that I submit this report, as Acting President of your organization, the same being necessitated through the kidnapping and incarceration of your worthy President, Charles H. Moyer.

As you have been kept fully posted on the workings of the organization through the columns of the Miners' Magazine and others sources, I will endeavor to be as brief as possible. I assure you that it affords me great satisfaction to be able to report that, despite the relentless war that has been waged against us during the past year by the corporate powers of the land, backed by the State and National Governments, the Western Federation of Miners is more powerful today than ever before in its history.

Immediately after the adjournment of the Convention I proceeded to Montana for the purpose of taking up matters which were in controversy at that point, and visited No. 1, No. 83, and No. 117 and took up the question of them withdrawing from the Montana State Federation, which they did, the same being prompted through the officers of the State organization waging a battle against the W. F. of M. in an effort to bring about its disruption in that State. No. 1 and No. 117 paid the assessment which had been in question between their Locals and the general organization; the same having been levied by the Executive Board for the purpose of defraying the per capita tax to the I. W. W.

In the case of the Ropemen's Union No. 214 of Butte, they refused to comply with the decision of the Fourteenth Annual Convention in transferring into No. 74 and giving that Local jurisdiction over what had formerly been No. 214. They returned their charter to headquarters and procured a charter from the Montana State Federation of Labor and sought to disrupt No. 74, which they failed in, as at the present time a majority of those who comprise the membership of the seceding union are in No. 74 and No. 1. On the Montana State Federation failing in their attempt at disrupting the Smeltermen at that point, M. Grant Hamilton came to the assistance of what was left of the seceders and granted them a charter under the Riggers' and Reeves' International, which is

affiliated with the A. F. of L., that they might procure the sinews of war from that organization in carrying on the fight against the W. F. of M.

On July 23rd left Butte, going to Aldridge in connection with a grievance between the union and the company; the same being adjusted satisfactory to the union.

On the 4th I left for Denver, arriving there on the 6th. On July 7th I left for Chicago to attend the board meeting of the I. W. W., remaining there till the 17th. Then proceeded to the Flat River District. On arriving in that district I found a general turmoil on and a protest coming from a majority of the Locals against Brother Brown requesting that he be withdrawn from the field. After taking a general invoice of conditions there, I concluded that it would be necessary to send an organizer into that field from the outside, and I requested Brother Brown to withdraw from the field as an organizer, which he did the middle of August.

On the 25th of July I left the Flat River District for Denver, arriving there on the 28th.

On August 19th, left Denver for Boise in connection with the pending cases. Visited Moyer, Haywood and Pettibone, and found them all in good spirits, and enjoying fairly good health, and found that they were being accorded the best treatment possible by the sheriff of Ada county.

On the 24th left Boise for Bingham, Utah, arriving there on the 25th, and in company with Brother Schmelzer attended a meeting of Bingham Miners' Union in an effort to straighten out a turmoil which had arisen in that Local, the same coming about through the membership dividing into two factions, both wanting to outline and dictate the policy of the union. The same evening attended a meeting of the Bingham Smeltermen's Union, which had been organized a short time prior. Found them progressive and building up rapidly. The 26th attended a meeting of the I. W. W. local at Bingham, leaving for Salt Lake the following day. Attended meeting of the I. W. W. local of building laborers that evening and investigated the standing of the Salt Lake "Crisis," the publication that the Fourteenth Annual Convention decided to purchase stock in in case the same was controlled by the Locals in Utah. On investigating the same it developed that the "Crisis" had no fixtures or assets, but owed an indebtedness of some \$300.00, and it was deemed advisable that no stock be purchased by the W. F. of M. Left Salt Lake on the 29th for Butte, arriving there on the 30th.

Left Butte on the 4th of September, arriving in Denver on the 6th. On the 8th left Denver for Chicago to attend board meeting and convention of the I. W. W.; remained in Chicago till October 4th, then returning to Denver. On the 8th I was hurriedly called to Butte on account of sickness, returning to Denver on the 17th.

On November 9th left Denver for Arizona and visited the unions at Jerome, McCabe, Humboldt and Globe in company with Brother Moor. We then proceeded to Bisbee in an effort to ascertain what the chances for organization at that point were, but received very little encouragement at that time, all being of the opinion that the opportunity would be more favorable later on. On the 28th left for Denver, arriving on the 30th.

On December 18th left Denver for Aldridge for the purpose of looking into the strike which was on at that point, they having gone on strike December 1st in support of reinstating a member of the union who had been discharged for his activity in the interests of the union. While in Montana I visited Nos. 83, 74 and 117, returning to Denver on January 3rd.

On the 22nd of January I left for Central City for the purpose of reorganizing that point, returning to Denver on the 24th.

Left Denver for Deadwood, S. D., February 2nd for the purpose of reviewing the strike situation at that point, and visited Deadwood, Terry Peak and Lead unions; returning to Denver on the 8th.

February 11th left Denver for Virginia City, Nev., for the purpose of having them reinstate in the W. F. of M., which they did by paying \$704.00 as a reinstatement fee. Gold Hill had reinstated at their former meeting on the 17th. Met with Silver City and before the close of the meeting they had voted to reaffiliate with the W. F. of M.

While in that district I visited locals of the I. W. W. at Empire and Virginia City, and as those locals were following vocations which should come directly under the mining department, I requested them to apply for charters from the Western Federation of Miners, which they have since done.

Left Virginia City on the 20th and arrived in Butte on the 22nd for the purpose of looking over the situation in Montana, as at that time there was a general movement on for a raise in wages for the Great Falls Smeltermen, Anaconda Smeltermen, and the three Locals of the Federation in Butte City. Found that all the Locals were taking a firm stand in support of procuring same.

The Miners' Union were preparing to vote on a movement to make \$4.00 per day the minimum wage for miners. The agents of the companies were using every effort to defeat the proposition, and for several days before the referendum vote was taken on the same threats were being made by them that in case the motion carried the mines would close down. The vote was taken on the 25th of the month and the raise in wages carried by a very large majority. The management of the Amalgamated Copper Company immediately entered into negotiations with the representatives of the different Locals of Montana for the purpose of procuring a signed contract from them which would regulate the wages for the next five years, and the same to be based on the price of copper. I recommended to the local unions, through communications, that they not sign this contract, but on a referendum vote being taken on the same by the local unions they all decided to sign the contract, and at this time there is in existence a contract between the Amalgamated Copper Company and Locals Nos. 1, 83, 74, 117 and 16 that the raise in wages will continue until such time as copper goes below 18 cents; and copper going below this price, wages will again drop to what they were prior to the raise, and in all probability this matter will be given considerable consideration in the Fifteenth Annual Convention, and I would recommend that the Western Federation of Miners recognize no contracts between local unions and the management of the mining companies which are signed or executed for any length of time.

Returned to Denver on March 8th. On March 19th left Denver for Goldfield, Nev., for the purpose of investigating the strike situation at that place, and as the same is covered under the head of strikes and lockouts, it will not be necessary for me to go into further details at this time.

Returned to Denver April 26th. On May 17th I paid a visit to the Cripple Creek District, having been requested to do so by the President of No. 234. After reviewing the situation there, I found that many of those who had acted as strike-breakers in the district for the past few years were very desirous of organizing. No. 234 have been taking in members on probation, and have at this time in the neighborhood of 100 such members, and I would recommend to this Convention that they give due consideration to the Cripple Creek District and outline a policy for the local union in that district to follow, as it will be only but a short time until many of those who are becoming probation members will be seeking clear cards to go elsewhere, and in all probability it will result

in a controversy arising through them being rejected by the local unions in other portions of the jurisdiction.

Returned to Denver on May 20th and have remained at the office since that time.

STRIKES AND LOCKOUTS.

During the past year there has been a number of strikes and lockouts in support of a shorter work-day, recognition of the union, and a living wage, and the same have resulted in a victory to the organization in almost every instance.

STRIKE AT GREAT FALLS, MONT.—The Smeltermen at Great Falls were forced on strike on August 2nd in support of recognition of their union, a portion of their union being discharged for being active in soliciting membership and making an effort to have all men working in the plant join the union. Upon those members being discharged a meeting of the union was called to consider the same, and the reinstatement of those discharged was demanded, and a committee sent to interview the management on the same. The management sought to ignore the demand for reinstatement of those discharged and the men immediately went out in support of their demands and won a complete victory, procuring the reinstatement of those discharged and recognition of their union, which has since been the means of thoroughly organizing the plant at that point.

STRIKE AT ALDRIDGE, MONT.—The Aldridge Miners' Union was forced on strike on December 1st in support of a demand made by them on the management at that point for the reinstatement of a member who had been discharged, their position being that the man was discharged on account of his activity in the interests of the union. The company put up a prolonged fight in an effort to maintain the position they had taken, but in the fore part of January the company receded from their position by reinstating the man in question, and the strike terminated in a victory for the union.

STRIKE AT GRASS VALLEY, CAL.—In the month of December the Grass Valley Miners' Union made a demand on the different mining companies in that district for an eight-hour day, to take effect on January 1st, and on the same being refused by the mine managers of the district, they immediately went on strike in support of their demands, the same terminating on January 19, and resulted in a complete victory for the union.

STRIKE IN THE BLACK HILLS.—During the month of December the Locals of the Black Hills made a demand on the different mining companies for an eight-hour day, to take effect on January 1st. The same was rejected by a large majority of the mining companies of the district, and the Locals involved immediately went on strike in support of their demands for an eight-hour day. The mine owners immediately formed an association for the purpose of maintaining their position and carrying on the fight against the unions, but later developments would lead one to believe that the eight-hour question was only used as a subterfuge by the Harriman interests, who appear to have absolute control of the situation, in an effort to force the smaller owners into an amalgamation with the Golden Reward Company, thus giving the Harriman syndicate control of the mining industry of that district, and it would appear that the strike may continue in this district for some time. Great credit is due to the membership of those Locals for the firm position they have maintained in this fight during the past five months, and the same fully demonstrates that the eight-hour day must be conceded by the mine owners prior to them resuming operations.

STRIKE AT ZORTMAN, MONT.—On March 2nd Zortman Miners' Union went on strike against the compulsory boarding house which was being enforced at that point by the management of the mining company. The same terminated in a few days, and resulted in a victory for the union.

CONTROVERSY AT GOLDFIELD, NEV.—During the past year there have been several controversies in the industrial field in Goldfield which involved No. 220, and in reviewing the same, it might be well to begin with the controversy which arose between the Tonopah "Sun" on the one side, supported by the A. F. of L. locals in the camp, and the locals of the I. W. W. and W. F. of M. on the other. The "Sun" having entered a fight against the I. W. W. through the columns of that paper, the locals of the I. W. W. and W. F. of M. boycotted the paper and the newsboys refused to sell it. The management of the "Sun" immediately sought the services of parties to scab on the Newsboys' Union, and were successful in procuring a few members of the Carpenters' Union in company with Jack Davis and Geo. Wingfield to act as strike-breakers against the newsboys, but this did not materially assist the "Sun" as the boycott stood on the part of the unions, and the paper was being forced out of business in Goldfield. It appears that Wingfield and other employers sought to have the matter settled by offering to buy the paper and turn it over to the union to run, but the same was turned down, and a meeting of the Miners' Union was called for the purpose of, if possible, settling the controversy. On the day the meeting was held the mines were closed so that the miners might all attend. After some discussion it was almost unanimously decided that Local No. 77 of the I. W. W., which comprised all the town workers with the exception of the Building Trades, cease doing business as a local and go into Local No. 220 of the W. F. of M. Same was complied with by Local No. 77 of the I. W. W., thus placing all wage-earners in the camp in No. 220, with the exception of the newsboys, who held a charter from the I. W. W., and a portion of the Building Trades, who held membership in their international organizations.

At the time of the amalgamation of No. 77, I. W. W., and No. 220 of the W. F. of M., the project was encouraged and favored, apparently, by many of the employing interests of the district, they surmising that, as the miners were in a majority, they would not permit any question to arise in the district so long as it did not pertain directly to men employed in the mines, but, in short, their minds were divorced of this opinion, as it mattered not what portion of No. 220 was involved—an injury to one was considered an injury to all. Upon this being demonstrated to the employers, they began to lay the foundation for a division of the membership of No. 220, and it would appear that the officers of the Carpenters' Union were used as emissaries by them to enter the wedge, as the controversy was opened through the Carpenters' Union placing a boycott on the Miners' Union Hospital, which was under way of construction, and placed a fine against members of their union who remained at work on the same, on the grounds that members of the Miners' Union were doing carpenter work on the same and that the President of the Miners' Union had insulted their delegate by not complying with his demands in giving him full jurisdiction of men working as carpenters. The Miners' Union resented the demands of the Carpenters' Union and held that members of No. 220 were entitled to construct their own hospital, and passed a motion that all carpenters in the camp become members of the Miners' Union, and the management of the different mines were notified that all men working in and around the mines as carpenters must become members of the Miners' Union. This demand of the Miners' Union being ignored by both the Carpenters' Union and the managements of the mines, the miners were called out on one of the mines where members of the Carpenters' Union were employed, but

later it was decided that they return to work the next day, and on them returning they were informed that there would be no further operation until the management found where they were at; and this was followed by the forming of the Mine Owners' and Business Men's Association, which issued the following statement, at the same time locking out the members of No. 220:

"Whereas, local conditions are becoming intolerable through constant and unreasonable agitation on the part of the leaders of an organization known as the Industrial Workers of the World; and

Whereas, an unchecked tendency of such conditions means danger to life and property and the ultimate destruction of mining and general business in the camp of Goldfield; therefore, be it

"Resolved, That, representing the commercial and mining interests of Goldfield, we hereby pledge ourselves to absolutely refuse to employ any man in any capacity who is a member of the Industrial Workers of the World; and, be it further

"Resolved, That the mine owners will recognize any miners' union that is independent of the Industrial Workers of the World in the Goldfield Mining District, and that other business interests and industries will recognize and employ members of separate craft organizations not affiliated with or under the jurisdiction of the Industrial Workers of the World in the Goldfield Mining District.

"Resolved further, That a copy of this resolution be immediately forwarded to the Miners' Union and to the I. W. W.; that this action is irrevocable.

"Resolved, That it is not the intent of this resolution to disturb, modify or change in any way the present conditions of wages or hours now in effect in this camp."

Immediately following this action on the part of the operators a tirade of charges and abuse were entered against the I. W. W. by this association of employes, while in the same breath, they uttered words of praise in behalf of the W. F. of M., and advising that the miners segregate themselves from the I. W. W. and thus preserve their honor and manhood, and, notwithstanding the fact that the membership of No. 220 voted almost as a unit in the month of September to take over the jurisdiction of No. 77 of the I. W. W. and transferred their membership along with their funds into the Miners' Union, many of its membership declared that the ultimatum of the Mine Owners' and Business Men's Association should be carried out, and a motion prevailed specifying that a referendum vote to be taken on the question of holding separate meetings. On March 20th a canvass of the same showed a large majority in favor of meeting separately, and at the next meeting of No. 220 it was held that none but miners should attend and that another meeting might be set aside for the town workers.

After arriving in Goldfield and reviewing the situation and attending meetings of the town workers and miners, all under the charter of No. 220, and both meetings transacting business for No. 220, I came to the conclusion that this could not continue, as it would disrupt the union in general, and I hold that there was one of two things to be done—that the membership either meet in one meeting as one union, or, on the other hand, they allow the town workers to resume under their former charter. A meeting was held to pass on the same, and a majority were in favor of returning the funds transferred from No. 77 and establish that local, with jurisdiction over workers around town. At the following meeting the town workers took the position of holding their membership in No. 220 and not re-establish Local No. 77 of the I. W. W., which they were justified in doing, as they were members of the W. F. of M., and it was decided that they meet as one union instead of town workers and miners. On the first meeting being held between the representatives

of the mine owners and the union, the committee of employers, which was comprised jointly of business men and mine owners representing the Business Men's and Mine Owners' Association, demanded that the Miners' Union disconnect themselves from the I. W. W. and town workers and that they take no part in any labor troubles around the town. On being informed by the committee from the Miners' Union that they would not be recognized in making a demand which outlined the policy and affiliation of No. 220, the meeting adjourned without arriving at any conclusion in the way of a settlement. At the next meeting I informed the committee of employers that we had nothing to offer as long as they took the position of enforcing their ultimatum, as the Western Federation of Miners would not permit of them dictating what our affiliation should be. I then concluded to withdraw their ultimatum, and after several meetings had been held, the mine owners agreed to settle the matter with the Miners' Union as far as the mining industry was concerned, hours and wages remaining the same as prior to the lockout.

On the 21st of April same was submitted to the membership and accepted by them, and operation on the mines resumed the next day. The part played in this controversy by the president of the Carpenters' Union of Goldfield and M. Grant Hamilton, who went into the field supposedly as an organizer of the A. F. of L. at the solicitation of the employing element of Goldfield at the time of the formation of the Mine Owners' and Business Men's Association: The president of the Carpenters' Union was a party to it and was elected a member of its executive committee to lead the fight against the I. W. W. and W. F. of M., while M. Grant Hamilton put in his time organizing those whom the employers could procure to take the places of the membership of No. 229 who were locked out, into local unions of the A. F. of L. However, Hamilton's actions surprises no one who knows his past record with the organized movement in the West, as in many instances he has been the ally of the employers and assisted them in procuring and organizing men to act as strike-breakers against the A. L. U., the I. W. W. and the W. F. of M.

STRIKE AT TEXADA.—The Texada Miners' Union No. 113 went on strike during the month of April, 1907, in support of a demand for an increased wage and were successful in forcing the operators to concede their demands.

STRIKES IN ALASKA.—During the past several months there has been strikes at Nome, Douglas Island and Ellamar, and, according to late reports, it would appear that the same have terminated in a victory for the unions in almost every instance, and as there is a delegate in attendance at this Convention from Douglas Island in all probability he will be in a position to give a detailed report on conditions in that section.

STRIKE AT ANGEL'S CAMP, CAL.—About the middle of the month of April Calaveras Miners' Union No. 55 went on strike in support of their demands for an eight-hour day. Brother James A. Baker was sent to Angel's Camp to take charge of same, and from all reports, it looks favorable for a complete victory in the end.

On April 10th of this year Bisbee Miners' Union No. 106 of Bisbee, Ariz., declared a strike against the blacklisting system that has been in operation for years in the Warren Mining District. The strike is still on and the men are standing firm and feel confident that victory will ultimately crown their efforts.

The strike at West Jordan, Utah, which was declared last month by Mill and Smeltermen's Union No. 249 was amicably adjusted, the union winning a victory.

There have been numerous other controversies throughout the jurisdiction which will be fully covered in the reports of the different board members.

ORGANIZATION.

The work of organization is one of the most important questions which confronts your organization. I would recommend to this Convention that they devise ways and means to keep competent organizers in the field, and especially so in Missouri, Minnesota and Michigan, as past experience has taught us that when a man goes into those districts and organizes a local union, that when leaving them to their fate, they are not in a position to continue as a progressive organization, and that they do not understand the movement. During the past year we have met with considerable success in the way of organizing, the membership having increased in many of the old unions and a great number of new locals added to the organization, as will be shown by the report of the Secretary-Treasurer.

W. A. Burns was selected as organizer for Missouri after Executive Board Member Brown withdrew from the field. He went there in the month of August and remained there until the latter part of the month of December. While in that district Brother Burns met with considerable success, but was forced to leave the field owing to sickness in his family. Later on Brother O'Byrne of Butte City went into that district as an organizer to continue the work where Brother Burns had left off, and the results that have been attained by the same are very gratifying.

Teofilo Petriella has been on the Mesabe Range in Minnesota since the adjournment of the last Convention, and, while organizing work has been very hard there, he succeeded in building up at least a few substantial Locals, and as he is in attendance, he will in all probability give a full report.

Brother DeMolli has acted as an organizer the greater portion of the time since the last Convention throughout Utah, California and other points, and has met with considerable success among his countrymen.

Brother Calvin acted as organizer for a time at Angel's Camp and succeeded in building up a strong Local at that point.

Brother James Whalen acted as organizer for a period of sixty days at Amador, Jackson and Sutter Creek, and reports show that he met with some success.

During the month of January, 1907, the question of organizing in Bisbee was taken up between this office and the Arizona State Union, and Brother Cannon was selected by the general office of the Western Federation of Miners and Brother Rawlings by the Arizona State Union. They proceeded to Bisbee for the purpose of organizing at that place. On February 9th established a local union and met with considerable success in the way of procuring members. The mining companies immediately began to discriminate against members of the organization. Under the able management of Brothers Rawlings and Cannon the organization continued to prosper and build up, and on August 10th they decided to go on strike against the blacklist system enforced by the Copper Queen Company and other mining companies. Great credit is due Brothers Cannon and Rawlings in conducting the affairs of the organization at that point.

Many new locals have been organized by the different local unions in Nevada sending members of the established Locals as organizers into the new districts, and the progressive organizations of that State have done much in adding membership to the Western Federation of Miners. I would recommend that in organizing in new districts that a competent man be selected and left in that district in charge of the local union a sufficient length of time to fully instruct them in carrying on the affairs of their organization.

MINERS' MAGAZINE.

The official organ of the Western Federation of Miners and its progressive policy is a credit to the organization, and I would advise that steps be taken by this Convention empowering the Executive Board to place in the field a competent man as a solicitor for the "Miners' Magazine," and in selecting a man for this position I would recommend that one be selected who is capable of addressing mass meetings and promulgating the interests of the organization in general. As to the editor of the "Miners' Magazine," his work speaks for itself and it is not necessary for me to make an effort to eulogize him or his work. During the past several months there has been considerable criticism of the editor of the "Miners' Magazine" in regard to its policy, and complaints have been entered on account of his refusing to publish certain communications sent to his office. The editor of the "Miners' Magazine" has all such communications on file and I would recommend to this Convention that it have submitted for its consideration the matters which have been rejected by the editor of your "Miners' Magazine" and then pass judgment on the position he has taken.

INDUSTRIAL WORKERS OF THE WORLD.

Since the adjournment of the Fourteenth Annual Convention differences have arisen in the Industrial Workers of the World that have practically disrupted that organization. My first connection with the organization, in an official way, took place during the month of July when I attended the board meeting in Chicago for the purpose of auditing the books and disposing of all matters that might come before the board. I found at that time that there was a general dissension between the secretary and the assistant secretary of the organization on one side and President Sherman on the other, but I did not believe at that time that it would result in practically disrupting the organization, as has since been proven.

After an effort had been made by the members of the Executive Board to audit the books in the office of the secretary-treasurer, and finding that we were unable to strike a balance, it was decided that an expert accountant be obtained for the purpose of ascertaining what the real condition of the finances of the organization was. Prior to the adjournment of that meeting of the board, it was decided that Brother Riordan, who was acting as an assistant to the secretary in office, be discontinued in that capacity, and since that time many assertions have been made charging that he was removed for the purpose of hampering the secretary-treasurer and retarding the progress of the organization.

The secretary-treasurer was empowered to procure all necessary office help, and no one is at fault other than himself if the same was not done.

The final blow to the Industrial Workers of the World was delivered through the split which took place in the Second Annual Convention. The delegates who represented your organization were equally divided and arrayed against one another, and the main fight centered on whether or not the delegates to that convention had the right to change the constitution of the Industrial Workers of the World and put it into force without being submitted to a referendum vote of the membership. I was amongst those on the floor who contended that the rights of that convention, in the way of amending the organic law of the organization, was confined to submitting such amendments as they saw fit to the membership of the organization to be passed on by a referendum vote. However, those contending that the convention was the supreme legislative power of the organization were in a majority and they proceeded to revise the

constitution and suspend any section of the old constitution that provided for action in which they did not see fit to concur. My position at that time was that, unless the membership of the Western Federation of Miners, through a referendum vote, endorsed the actions of that convention, I would not recognize any of its acts as binding in the way of law on the Western Federation of Miners.

The legality of said convention was submitted to a referendum vote of the Western Federation of Miners and the returns showed that a large majority of those voting declared the acts of that convention illegal and unconstitutional, while many of the local unions sent in protests against paying the per capita tax to either side, and the Executive Board, while in session during the month of December, passed a motion instructing your Acting Secretary and President to pay no per capita tax to either faction. This position had already been taken, so far as Brother Kirwan and myself were concerned, and the only per capita tax paid to the Industrial Workers of the World since the disruption took place in the Convention, was \$500.00, which was sent to the old office at the time the supposed convention adjourned. I note since that time, that McCabe Miners' Union has charged me, through a resolution, with taking the funds of the Western Federation of Miners and giving them to Sherman and setting forth that I have shown myself to be a traitor to the organization, and I at this time demand that the representative of McCabe Miners' Union place his charges in writing before this Convention and submit the proof to substantiate the statement that I have violated my obligations to the Western Federation of Miners, and on the same being done, if the delegates to this Convention find that I am guilty of violating my obligations and have become a traitor to the organization, then my contention is that the time has come when they should expel me from the Western Federation of Miners.

Great stress has also been laid on my leaving the floor of that gathering prior to the same adjourning, and I do not consider that at the time I left that floor I left a convention of the Industrial Workers of the World, but that, on the other hand, I left a gathering which had resolved itself into something other than that for which it was intended.

I would like to ask the delegates on the floor of this Convention what position they would take if the Secretary-Treasurer of the Western Federation of Miners refused to submit a financial report of the workings of his office during the year, or, on the other hand, if he had refused to submit the same and the majority of those on the floor contended that he did not have to submit a report and proceeded to re-elect him to the office, would you feel that you could honestly take part in proceedings of this kind and represent your constituency? My position in this matter is that the membership of the Western Federation of Miners, through a referendum vote, is the legislative power of this organization, and the reports will show that when the Western Federation of Miners sent delegates to take part in the First Annual Convention of the Industrial Workers of the World they were instructed that the actions be submitted to a referendum vote prior to the same becoming effective so far as the Western Federation of Miners was concerned as an organization, and the same was complied with by the delegates attending the First Annual Convention, as they submitted the acts, together with a copy of the constitution, to the membership of the Western Federation of Miners for ratification.

Those who are trying to sustain the position of the Second Annual Convention have contended at different times and places that this was an absolute falsehood, and I request that the delegates on the floor of this Convention make a thorough investigation of what led up to the disruption of the Industrial Workers of the World; and I would further recommend that an earnest effort be made to promulgate and maintain a general industrial organization without affiliation with either of the so-

called factions. There is no question but what the plan of the organization is absolutely correct, as the only power tributary to a labor organization is the economic power of the working class, bound together in an industrial organization which recognizes that an injury to one is an injury to all.

PROCEEDINGS IN COURT.

During the session of the last Annual Convention in the city of Denver many of you will probably remember that Vincent St. John was awaiting his trial in Colorado charged with murder. A change of venue was granted from San Miguel to Montrose County. When the case of St. John was called in the District Court last September the prosecution, in conjunction with the hired attorneys of the Mine Owners' Association, was forced to enter a nolle prosequere, owing to the fact that there was no evidence to support the charge of the conspirators, who dragged St. John from Idaho to Colorado.

In the month of October the attorneys of the Western Federation of Miners appeared before the Supreme Court of the United States and presented briefs in support of a writ of habeas corpus in the Moyer, Haywood and Pettibone cases. The Supreme Court of the United States, after the hearing of arguments, announced that the case would be taken under advisement and a decision rendered later. The Supreme Court, through Justice Harlan, handed down a decision on the 3rd of December which practically legalized kidnapping, but in that decision there was the dissenting voice of Justice McKenna, who, in no uncertain language, maintained that the legal rights and constitutional liberties of the kidnapped victims had been grossly violated.

The term of court opened in Caldwell, Idaho, on March 5th, but the prosecuting attorneys asked for a continuance of the trials of Moyer, Haywood and Pettibone on the grounds that the Supreme Court of the United States had failed to transmit a remitter to the court in Idaho. The court, after listening to arguments, continued the cases until the 9th of May. Arguments were then made on a motion for a change of venue. After a desperate legal battle on the motion for a change of venue, the court permitted the cases to be tried in Ada County. On May 9th the trial of Haywood opened, and nearly four weeks were consumed in the examination of jurors before the jury box was filled with twelve men who are to listen to the evidence and pass upon the guilt or innocence of William D. Haywood, your Secretary-Treasurer.

During the recent troubles at Goldfield, Nev., the conspiracy combinations that are using all their devilish ingenuity to shatter and destroy the Western Federation of Miners have been busily engaged in hatching plots and schemes by which members of the Western Federation of Miners may be railroaded to the penitentiary in order that public sentiment might be poisoned against the organization. A Mine Owners' Association, with its mercenary ally, the Citizens' Alliance, has been successful, through the perjury of hired thugs and outlaws, to send Brothers Preston and Smith to 25 and 10 years, respectively, to the State prison of Nevada. Others are now awaiting their trials in Goldfield, Nev., and it will require the utmost vigilance and the best united efforts of the organization to thwart the conspiracy that has been hatched and to save our other accused brothers from being made victims of corporate and commercial vengeance.

LOYALTY OF LABOR ORGANIZATIONS.

Since the kidnapping of Moyer, Haywood and Pettibone the labor organizations throughout the country, regardless of affiliations, have shown a generosity and a loyalty to the Western Federation of Miners that should command our deepest sense of gratitude. Organized labor,

through its donations to the defense fund, has demonstrated that the union men of America and Canada recognize in this battle against the Federation a deadly assault upon the labor movement of the country. The loyalty and generosity displayed by the hundreds of labor organizations that have responded in the fight of the Federation for its life, should convince us that a time is drawing nigh when the regiments of labor will come together in an invincible army to battle shoulder to shoulder for the industrial freedom of humanity.

In conclusion, I would recommend for this Convention that they devise ways and means for carrying on the legal battles now being fought by the Western Federation of Miners in an effort to liberate our imprisoned brothers who are imprisoned in Idaho and Nevada, and that a series of assessments be levied for the purpose of raising funds for carrying on this fight and promulgating organizing work throughout our jurisdiction; and, in returning to you the honor that was conferred on me by the Fourteenth Annual Convention in electing me Vice-President of your organization, I would ask for my successor the full support of every member of the organization in carrying on the fight which has been waged against us, and earnestly hope that ere another Convention is held that our imprisoned officers will be liberated, and that the Western Federation of Miners will continue to be a power for good in the industrial field in its efforts to strike from the limbs of the working class the chains of wage slavery.

Fraternally submitted,

CHAS. MAHONEY,
Acting President, W. F. M.

